

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

FORTIETH LEGISLATIVE DAY  
FRIDAY, FEBRUARY 20, 2015

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Bair, Burgoyne, and Souza, absent and formally excused by the Chair. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Brooke Chick, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 19, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

### Petitions, Resolutions, and Memorials

#### SCR 112

#### BY STATE AFFAIRS COMMITTEE

#### A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND  
RECOGNIZING AND CONGRATULATING BOUNDARY  
COUNTY AND ITS RESIDENTS ON ITS CENTENNIAL  
ANNIVERSARY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Boundary County is celebrating its Centennial Anniversary during 2015; and

WHEREAS, in 1915, during the Thirteenth Idaho Legislature, the Legislature passed House Bill No. 1, creating Boundary County. The bill was signed by Governor Moses Alexander on January 25, 1915. The bill declared the village of Bonners Ferry to be the county seat and ordered the county commissioners to meet in the village of Bonners Ferry on the first Monday of July 1915. Governor Alexander appointed H. L. Shively, James Deyoe, and Donald C. McColl as the first Board

of Boundary County Commissioners who first met in Boundary County on July 5, 1915; and

WHEREAS, Boundary County was so named because it borders Canada on the north, Washington on the west and Montana on the east. It is the only county in Idaho with an international border. The county consists of 1,278 square miles, with 9.3 square miles of water; and

WHEREAS, the Kootenai Valley is the ancestral home of the Kootenai Tribe of Idaho. They were not represented when other tribes ceded their land to the United States in the Treaty of July 16, 1855, in exchange for reservations, and so therefore were left landless. On September 20, 1974, following years of loss of their aboriginal lands, the 67 remaining Kootenais declared war on the United States of America. The peaceful war ended with the tribe being deeded 12.5 acres of land and the tribe remains an integral partner in Boundary County today; and

WHEREAS, the Boundary County Courthouse was under construction from 1935 to 1937 and was listed on the National Register of Historic Places on September 27, 1987. The front of the courthouse bears carvings depicting county resources of farming, mining and logging; and

WHEREAS, on May 1, 1989, the Boundary County seal was adopted. In the center of the seal is the head of a deer surrounded by pine trees, with the Moyie Dam depicted below, along with drawings setting forth the county resources of farming, mining and logging, and depictions of hops are presented to the left and right; and

WHEREAS, mining was once a major resource in Boundary County. On December 22, 1864, the second session of the Idaho Territorial Legislature convened at Lewiston and granted Edwin L. Bonner and his party the right to build and operate a ferry across the Kootenai River. Bonners Ferry became a major shipping and supply point for Canadian mines; and

WHEREAS, the timber industry was once a major employer of the area with over 10 sawmills. Logging and farming are still major resources in Boundary County; and

WHEREAS, the Northern Pacific Railroad and the Great Northern Railroad lines were completed in Boundary County in 1882 and 1892, respectively; and

WHEREAS, the first fire department in Boundary County was established in 1904, electricity came to Boundary County in 1905, and Boundary County's first hospital was opened in 1907; and

WHEREAS, the Moyie River and the Kootenai River run through Boundary County, and there are more than 60 lakes in the county. Major floods on the Kootenai River plagued the valley until the Libby Dam was completed in July 1973. Prior to the dam, drainage districts were constructed to retain the high water in an attempt to prevent flooding of farmland. The highest water stage at Bonners Ferry was recorded in 1961 at 37.28 feet; and

WHEREAS, Boundary County is also home to portions of the Idaho Panhandle National Forests, the Kaniksu National Forest, the Selkirk, Cabinet and Purcell mountain ranges, the Wild Horse Trail, the Kootenai River White Sturgeon, and the Kootenai National Wildlife Refuge.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the Senate and the House of Representatives concurring therein, that we hereby recognize and congratulate Boundary County and its residents on its Centennial Anniversary.

**SCR 112** was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

February 20, 2015

The JUDICIARY AND RULES Committee reports that [S 1103](#) has been correctly printed.

HAGEDORN, Vice-Chairman

[S 1103](#) was referred to the Judiciary and Rules Committee.

February 19, 2015

The AGRICULTURAL AFFAIRS Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Dave Radford to the State Soil and Water Conservation Commission, term to expire July 1, 2019.

RICE, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 19, 2015

The AGRICULTURAL AFFAIRS Committee reports out [S 1073](#) with the recommendation that it do pass.

RICE, Chairman

[S 1073](#) was filed for second reading.

February 19, 2015

The FINANCE Committee reports out [H 168](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 168](#) was filed for second reading.

February 19, 2015

The TRANSPORTATION Committee reports out [S 1083](#) and [S 1084](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1083](#) and [S 1084](#) were filed for second reading.

February 19, 2015

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1023](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1006](#), [S 1007](#), [S 1008](#), [S 1009](#), [S 1010](#), and [S 1023](#) were filed for second reading.

February 19, 2015

The EDUCATION Committee reports out [S 1070](#) with the recommendation that it do pass.

MORTIMER, Chairman

[S 1070](#) was filed for second reading.

February 20, 2015

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Cameron Arial to the Treasurer's Investment Advisory Board, term to expire July 1, 2018.

Gavin Gee to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

Kerrie Murray to the Treasurer's Investment Advisory Board, term to expire July 1, 2016.

W. Craig Corbett to the Idaho Lottery Commission, term to expire January 1, 2020.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

February 19, 2015

Dear Mr. President:

I transmit herewith [H 109](#), [H 133](#), and [H 95](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 109](#), [H 133](#), and [H 95](#) were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1104

#### BY STATE AFFAIRS COMMITTEE

#### AN ACT

RELATING TO VETERANS; AMENDING CHAPTER 2, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-210, IDAHO CODE, TO AUTHORIZE THE ESTABLISHMENT OF A VETERANS HOME.

[S 1104](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 109](#), [H 133](#), and [H 95](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

[H 23](#), [H 24](#), and [H 25](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 52](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1050](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1015](#), as amended, by Transportation Committee, was read the second time at length and filed for third reading.

[H 15](#), as amended in the Senate, by Transportation and Defense Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1061](#), without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1061

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 20, following "in" insert: "or prior to".

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1061](#), as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

### Third Reading of Bills

[S 1079](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 30.

NAYS—None.

Absent and excused—Bair, Burgoyne, Cameron, Souza. Total - 4.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1079](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1081](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 31.

NAYS—None.

Absent and excused—Bair, Burgoyne, Souza. Total - 3.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [S 1081](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1044](#) was placed at the head of the Third Reading Calendar, followed by all remaining Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:05 a.m. until the hour of 10 a.m., Monday, February 23, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary